



REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 056207.50756C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Mail Stop PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No.: 10/009,638
Filed on: December 14, 2001
Of: Hiroshi HIRAYAMA *et al.*
Entitled: Air Flow Measuring Device Formed Integrally With
Electronically Controlled Throttle Body
Examiner: Erick R. SOLIS
Art Unit: 3747
Class-Subclass: 123-399000

- ☒ 1. Accompanying this order is a copy of the prior application as originally filed.
(Pages 1-39)
- ☒ 2. 15 Sheets of drawings, depicting Figures 1-24.
- ☒ 3. Declaration and Power of Attorney:
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copied from prior application
 - i. ☐ Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- ☒ 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ 5. Cancel original claims

- ☐ 6. Small entity status:
- a. ☐ A small entity statement is enclosed
- b. ☐ A statement of small entity status (copy attached) was filed on ___ in the prior application and status as a small entity is still proper and desired.
- c. ☐ Is no longer claimed
- ☒ 7. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

| | | | | | | | | |
|--------------|----------------------------------|---|----|---|----------|-------|-----------|-----------------|
| Basic Fee | | | | | | \$385 | | \$770.00 |
| Total Claims | <u>12</u> | - | 20 | = | <u>0</u> | x | 9 = \$ | 18 = |
| Ind. Claims | <u>3</u> | - | 3 | = | <u>0</u> | x | 43 = \$ | 86 = |
| | <u>Multiple Dependent Claims</u> | | | | | + | 145 = \$ | 290 = \$ |
| | Total | | | | | | \$ | \$770.00 |

- ☐ 8. Please charge my Deposit Account No. 05-1323 (Docket #___) in the amount of \$___.
- ☒ 9. A check in the amount of \$770.00 to cover the filing fee is enclosed.
- ☒ 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #056207.50756C1).
- ☒ 11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 10/009,638, filed December 14, 2001.--
- ☐ 12. Priority of Appln. No(s). ___, filed in ___ on ___, is hereby claimed under 35 U.S.C. 119.
- ☐ 13. A certified copy of each said priority document was filed in application Serial No. ___ on ___.
- ☒ 14. The prior application is assigned of record to Hitachi, Ltd., and Hitachi Car Engineering Co., Ltd.

- ☒ 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- ☒ a. The power appears in the original application papers in the prior application.
- ☐ b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- ☐ c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- ☒ d. Address all future correspondence to:

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

Customer No. 23911

- ☒ 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- ☒ 17. A Preliminary Amendment is being filed herewith.
- ☒ 18. Return Receipt Postcard.
- ☒ 19. Other: Application Data Sheet; Information Disclosure Statement

Respectfully submitted,

November 17, 2003



Song Zhu, Ph.D., Registration No. 44,420
James F. McKeown, Registration No. 25,406

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